City of Seattle

Department of Planning and Development
Diane M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3011428

Applicant Name: Jim Westcott

Address of Proposal: 888 Western Avenue

SUMMARY OF PROPOSED ACTION

Land Use Application to establish the use for the future construction of a 16-story building containing 9,910 square feet of commercial space with 208 residential units. Parking to be provided in an above grade garage for 124 vehicles.

The following approvals are required:

SEPA - Environmental Determination – Chapter 25.05 SMC.

Design Review – Chapter 23.41 SMC.

SEPA DETERMINATION: [ ] Exempt [ ] DNS [ ] MDNS [ ] EIS

[X] DNS with conditions

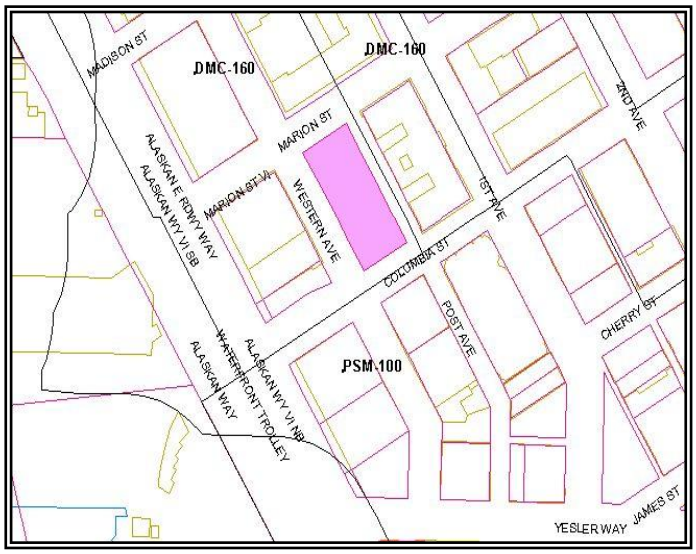
[ ] DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

*Early DNS Notice published October 28, 2010.

BACKGROUND DATA

Site and Area Description

This relatively flat site bounded by Western Avenue, Post Avenue, Marion, and Columbia Streets lies in the southwest portion of downtown just north of the Pioneer Square Preservation District. Currently used for surface parking, the full block site has two unusual right of way characteristics. The Marion Street pedestrian bridge to the Ferry Terminal abuts the site on the north, while the Columbia Street on-ramp rises above the center of the street adjacent to the



south side of the site. The raised pedestrian path, the highway on-ramp, the surrounding four to six story buildings, and the trees lining the perimeter create a distinctive, tightly enclosed site. Post Avenue, which has a 36 foot right of way, carries traffic one-way south bound and is in need of subsurface repair.

Originally called the Commission District, the area where farm produce came into the City via trains, the neighborhood has several zoning classifications. The site is zoned Downtown Mixed Commercial with a 160' height limit. The area directly to the east has a similar zoning DMC-160, with the Colman Building immediately across Post Avenue. To the east of First Avenue, the DMC zoning height steps up to DMC 340/290-400. To the south of Columbia Street the zoning category changes to Pioneer Square Mixed with a 100 foot height limit (PSM 100). The DMC 160 zone continues north parallel to the avenues. It extends west to Alaskan Way then transitions to Downtown Harborfront One with a 45 foot height limit (DH1/45).

The Colman Building across Post Avenue has city landmark status**.** A 40-foot view corridor setback requirement exists on Marion, which is also a designated green street. Columbia St. possesses a pedestrian two (P2) classification.

Proposal Description

The applicant proposes to construct a 16-story mixed use building with one level devoted primarily to commercial use, four levels of above grade parking (124 spaces), 10 floors containing 208 residential units, and one floor of amenity rooms. The proposed structure is composed of two contrasting masses: a 16 story rectangular tower and a much smaller, two story cube, containing a lobby and retail above, which connects the tower to the Marion St. elevated walkway. On either side of the lobby on the north side of the building small plazas provide access to the lobby. Retail storefronts face both Post Ave. (approximately 2,740 sq. ft in two spaces) and Western Ave. (approximately 5,300 sq. ft. in two spaces). The 16 story structure fills the rest of the parcel in plan. At the sixth floor, above the garage, the architect carved a vertical shaft into the structure corresponding to the deep set modulations of the Colman Building across Post Ave.

Access would occur on Columbia Street almost beneath the Columbia St. ramp to the Alaskan Viaduct. Levels two through five contain a parking garage, eight studio apartments and storage. Above the fifth level, a double loaded corridor provides access to the apartment units. Most of the resident designated amenity area occupies the roof. Above the two-story entry cube, a small roof deck would be reached by an exterior stairs and elevator for public use.

Glazing represents the predominant exterior material, particularly on the upper levels. On the lower levels, two colors of red and orange terra cotta panels either express interior building functions (the storefronts and the garage) and/or respond to building heights of neighboring structures. The heights of the terra cotta vary creating visual references to the structure's context and act to visually reduce the scale of a full block structure. The glass, concrete, and black metal defining the two-story entry cube and circulation tower contrast with the terra cotta panels and the historicist quality of the base while relating to the engineering of the viaduct, elevated walkway and other infrastructure in the vicinity.

Background

The Colman Center site already has an extensive design review history. In 1999/2000, the applicant proposed a 12 floor office building for this site. After five early design guidance meetings and an economic downturn in the office market, the project ceased progressing through the DPD approval process. During the summer of 2006, the applicant revived the project substantially redesigning the concept seen at the fifth and last meeting in January 2001. Given that the developer and the architectural firm remain the same, the department did not require the three concepts or partis usually requested at the EDG stage since so many earlier design concepts had been previously reviewed by the Board. Meeting reports from 2000-2001 are available upon request at DPD. Project # 3005346 received a published MUP Decision August 27, 2007 but did not receive an issued MUP.

Public Comments

Approximately seven members of the public attended the Early Design Review meeting. The following comments, issues and concerns were raised:

- Concerned that Post Avenue will become narrower due to the proposed sidewalk widening. Want to avoid creating a narrow canyon between the Colman Building and the proposed development. Also don't want to lose the on-street parking.
- Concerned with the loss of the mature street trees that surround the site perimeter and would like to see these preserved.

ANALYSIS-DESIGN REVIEW

Design Guidelines Priorities

The project proponents presented their initial ideas at an Early Design Guidance meeting on August 24, 2010. After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members identified the following Downtown Design Guidelines as high priorities. Board comments for the second EDG meeting are in italics.

A. Site Planning & Massing: Responding to the Larger Context

A-1 <u>Respond to the Physical Environment</u>. Develop an architectural concept and compose the building's massing in response to geographic conditions and patterns of urban form found beyond the immediate context of the building site.

At the Early Design Guidance Meeting, the Board discussed that the preferred option (Option 3) better fits into the neighborhood context and best holds the corners of the block and street edges. The Board acknowledged the unusual condition of the pedestrian bridge and the challenge of integrating it into the site and building design. The Board also recommended establishing a datum line on the façade design that responds to the nearby buildings and using this line to delineate the building base.

B. Architectural Expression: Relating to the Neighborhood Context

B-1 Respond to the Neighborhood Context – Develop an architectural concept and compose the major building elements to reinforce desirable urban features existing in the surrounding neighborhood.

At the Early Design Guidance Meeting, the Board noted that there really isn't much precedent for the proposed three-story "cube" design that would connect the pedestrian bridge and the main building. The Board expressed support for the setback shown at the north side of the block to include some plaza space and landscaping.

B-3 <u>Reinforce the Positive Urban Form & Architectural Attributes of the Immediate Area</u>. Consider the predominant attributes of the immediate neighborhood and reinforce desirable siting patterns, massing arrangements, and streetscape characteristics of nearby development.

At the Early Design Guidance Meeting, the Board discussed at length the importance of Post Avenue and that the treatment of this façade and its street level design is critical to helping create a more vibrant street.

The width of the existing sidewalk along Post Avenue is six feet, while the requirement is 12 feet. The design proposes a nine-foot width to allow for more generous landscape treatment and street trees. The Board would like to see landscaping, street trees, minimum street width and strong retail bay frontage to encourage activation. The Board is supportive of the request to SDOT to modify the street width reduction and integrate adequate sidewalk width, landscaping and street trees and a loading area. The Board agreed that having a wider sidewalk is more critical than having a wider roadway.

B-4 <u>Design a Well-Proportioned & Unified Building</u>. Compose the massing and organize the publicly accessible interior and exterior spaces to create a well-proportioned building that exhibits a coherent architectural concept. Design the architectural elements and finish details to create a unified building, so that all components appear integral to the whole.

At the Early Design Guidance Meeting, the Board encouraged a simplified architectural concept and form that is unified and not overly busy and instead responds to the more simple building massing of the historic building in the immediate context.

C. The Streetscape: Creating the Pedestrian Environment

C-1 <u>Promote Pedestrian Interaction</u>. Spaces for street level uses should be designed to engage pedestrians with the activities occurring within them. Sidewalk-related spaces should be open to the general public and appear safe and welcoming.

At the Early Design Guidance Meeting, the Board discussed Post Avenue and how to best enliven and take advantage of this unusually narrow and historic street to become a more animated and usable pedestrian and retail street. See also B-3. The Board noted a preference for generous landscaping than overhead weather protection along Post Avenue. They indicated potential support for a departure from overhead weather protection if it would be in direct conflict with the provision of street trees and generous landscaping accommodated for on Post Avenue.

See also the discussion of the 'cube' feature under C-2.

C-2 <u>Design Facades of Many Scales</u>. Design architectural features, fenestration patterns, and materials compositions that refer to the scale of human activities contained within. Building facades should be composed of elements scaled to promote pedestrian comfort, safety, and orientation.

At the Early Design Guidance Meeting, the Board noted the importance of taking advantage of the south facing façade to bring light into the building. The Board also expressed support for the proposed notch on the east side of the building which alleviates the possible canyon created by two tall building on either side of the narrow Port Avenue.

The Board found the proposed curved west façade problematic due to its lack of architectural precedent in the area for such a gesture. Instead, the façade should be flat and strive for simplicity. The Board suggested that the *modern* portion of the building (above the datum line) should recede behind the *historic* building base (which references the historic context).

The Board requested that the proposed "cube" feature be as transparent as possible and eliminate the proposed cube design concept "B" with the angled facade. The cube design should be simple and avoid adding new angles and forms that are incongruent with the neighborhood context. Of paramount concern should be the connection between the pedestrian bridge, the subject building and the movement from the bridge to ground level – this circulation function should be clearly expressed in the cube design. The Board recognized the challenge of locating retail use at the second level. The Board encouraged the provision of seating and open space at the second level abutting the pedestrian bridge. The Board also agreed that the design of this connection should consider the light and shadow of the area below the bridge and endeavor to use translucent materials where possible.

The datum lines of the nearby historic buildings should be acknowledged. The Board cautioned against too much curtain wall and glass as being out of context. Punched windows should be considered in the design of the building base.

C-3 <u>Provide Active—Not Blank—Facades</u>. Buildings should not have large blank walls facing the street, especially near sidewalks.

At the Early Design Guidance Meeting, the Board noted that on Western Avenue the residential units at the parking levels could be shifted to the curtain wall area so that the parking levels could be behind the punched masonry grid block area. It seems like screening the parking behind the grid is more effective than screening behind the spandrel glass. See also E-2.

D. Public Amenities: Enhancing the Streetscape & Open Space

D-2 <u>Enhance the Building with Landscaping</u>. Enhance the building and site with substantial landscaping—which includes special pavements, trellises, screen walls, planters, and site furniture, as well as living plant material.

At the Early Design Guidance Meeting, the Board focused on the Post Avenue streetscape and the Marion Street open space/plaza area. Both are prime opportunities for the integration of interesting landscaping and hardscaping to create visual interest at the pedestrian level but also as viewed from the pedestrian bridge. See also C-1.

D-5 <u>Provide Adequate Lighting</u>. To promote a sense of security for people downtown during nighttime hours, provide appropriate levels of lighting on the building facade, on the underside of overhead weather protection, on and around street furniture, in merchandising display windows, and on signage.

At the Early Design Guidance Meeting, the Board members noted they would like to see more information on the proposed lighting plan, particularly as it relates to the pedestrian bridge level and on the sidewalk/plaza area below the bridge.

D-6 <u>Design for Personal Safety & Security</u>. Design the building and site to enhance the real and perceived feeling of personal safety and security in the immediate area.

At the Early Design Guidance Meeting, the Board emphasized the importance of creating a safe and visually accessible area below the pedestrian bridge.

E. Vehicular Access & Parking: Minimizing the Adverse Impacts

E-1 <u>Minimize Curb Cut Impacts</u>. Minimize adverse impacts of curb cuts on the safety and comfort of pedestrians.

At the Early Design Guidance Meeting, the Board agreed that incorporating vehicular access from Columbia Street was appropriate. The Board would like to better understand how and where resident loading will occur and whether the proposed loading zone on Post Avenue is viable.

E-2 <u>Integrate Parking Facilities</u>. Minimize the visual impact of parking by integrating parking facilities with surrounding development. Incorporate architectural treatments or suitable landscaping to provide for the safety and comfort of people using the facility as well as those walking by.

At the Early Design Guidance Meeting, the Board was supportive of the proposal to include studio units at the corners of the parking levels thereby enlivening the facades at the corner locations with transparency and visual access to the lighting in those units beyond what the parking screening includes. The Board looks forward to learning more about how the cars are screened. The spandrel glass may be insufficient in terms of creating an overly blank wall.

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a design review component on September 15, 2010.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation Meeting on December 14, 2010 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meeting, site plans, elevations, floor plans, landscaping plans, a model and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

<u>Public Comments</u>

No one from the public attended the Recommendation meeting.

<u>Development Standard Departures</u>

The applicant requested departures from the following standards of the Land Use Code:

1. Parking location and screening. Parking above the third story of a structure shall be separated from the street by another use for a minimum of 30%.
2. Façade modulation. Required modulation above a height of 85' above a sidewalk for any portion of structure located within 15' of a street property line.
3. Setbacks on green Street. A continuous upper level setback of 15' shall be provided on a Green street frontage above 45'.
4. Sidewalk width. 12' sidewalk width required on Post Ave.
5. Overhead weather protection. Continuous canopies with an 8' depth.
6. Blank façade. Maximum blank façade length along Class II pedestrian street is 30'.
7. Blank façade. Maximum blank façade length along Class I pedestrian street is 15'.
8. Façade setback. 500 sq. ft. maximum setback on Marion St.
9. Façade setback. Maximum width of setback shall not exceed 80' or 30% of the lot frontage on the street.
10. Façade setback. Maximum setback of façade at intersections is 10'. Minimum distance the façade must conform to this limit is 20' along each street.

Recommendations

A. Site Planning & Massing: Responding to the Larger Context

A-1 Respond to the Physical Environment. Develop an architectural concept and compose the building's massing in response to geographic conditions and patterns of urban form found beyond the immediate context of the building site.

At the Early Design Guidance Meeting, the Board discussed that the preferred option (Option 3) better fits into the neighborhood context and best holds the corners of the block and street edges. The Board acknowledged the unusual condition of the pedestrian bridge and the challenge of integrating it into the site and building design. The Board also recommended establishing a datum line on the façade design that responds to the nearby buildings and using this line to delineate the building base.

Datum lines, added to the façade at varying heights roughly corresponding to nearby structures, are represented as the cornices of the terra cotta walls. (Recommendation Meeting December 14, 2010)

B. Architectural Expression: Relating to the Neighborhood Context

B-1 Respond to the Neighborhood Context – Develop an architectural concept and compose the major building elements to reinforce desirable urban features existing in the surrounding neighborhood.

At the Early Design Guidance Meeting, the Board noted that there really isn't much precedent for the proposed three-story "cube" design that would connect the pedestrian bridge and the main building. The Board expressed support for the setback shown at the north side of the block to include a plaza with landscaping. (EDG Meeting August 24, 2010)

The Board had an opportunity to discuss the "cube" but did not recommend changes to it. (Recommendation Meeting December 14, 2010)

B-3 Reinforce the Positive Urban Form & Architectural Attributes of the Immediate Area. Consider the predominant attributes of the immediate neighborhood and reinforce desirable siting patterns, massing arrangements, and streetscape characteristics of nearby development.

At the Early Design Guidance Meeting, the Board discussed at length the importance of Post Avenue and that the treatment of this façade and its street level design is critical to helping create a more vibrant street.

The width of the existing sidewalk along Post Avenue is five feet, while the requirement is 12 feet. The design proposes a nine-foot width to allow for more generous landscape treatment and street trees. The Board would like to see landscaping, street trees, minimum street width and strong retail bay frontage to encourage activation. The Board is supportive of the request to SDOT to modify the street width reduction and integrate adequate sidewalk width, landscaping and street trees and a loading area. The Board agreed that having a wider sidewalk is more critical than having a wider roadway. (EDG Meeting August 24, 2010)

The Board discussed the width of the sidewalk and urged the developer to return to SDOT to negotiate increasing its width. The developer in this situation does not want to incur the cost of widening a sidewalk in which the amount of work and the cost are unknown due to the unusual construction of the right of way. The Board supported the departure request to allow the existing five foot sidewalk width to remain. (Recommendation Meeting December 14, 2010)

B-4 <u>Design a Well-Proportioned & Unified Building</u>. Compose the massing and organize the publicly accessible interior and exterior spaces to create a well-proportioned building that exhibits a coherent architectural concept. Design the architectural elements and finish details to create a unified building, so that all components appear integral to the whole.

At the Early Design Guidance Meeting, the Board encouraged a simplified architectural concept and form that is unified and not overly busy and instead responds to the more simple building massing of the historic building in the immediate context. (EDG Meeting August 24, 2010)

The Board members suggested that the facades could be improved by introducing compositional techniques (e.g. weaving of pier and spandrel) that would relieve the facades of their monotony. No specific condition was recommended. (Recommendation Meeting December 14, 2010)

C. The Streetscape: Creating the Pedestrian Environment

C-1 <u>Promote Pedestrian Interaction</u>. Spaces for street level uses should be designed to engage pedestrians with the activities occurring within them. Sidewalk-related spaces should be open to the general public and appear safe and welcoming.

At the Early Design Guidance Meeting, the Board discussed Post Avenue and how to best enliven and take advantage of this unusually narrow and historic street to become a more animated and usable pedestrian and retail street. See also B-3. The Board noted a preference for generous landscaping than overhead weather protection along Post Avenue. They indicated potential support for a departure from overhead weather protection if it would be in direct conflict with the provision of street trees and generous landscaping accommodated for on Post Avenue.

See also the discussion of the 'cube' feature under C-2. (EDG Meeting August 24, 2010)

After thorough discussion, the Board recommended that the Post Avenue façade have a canopy even though it would not meet the Land Use Code depth standards and the sidewalk would not be widened. (Recommendation Meeting December 14, 2010)

C-2 <u>Design Facades of Many Scales</u>. Design architectural features, fenestration patterns, and materials compositions that refer to the scale of human activities contained within. Building facades should be composed of elements scaled to promote pedestrian comfort, safety, and orientation.

At the Early Design Guidance Meeting, the Board noted the importance of taking advantage of the south facing façade to bring light into the building. The Board also expressed support for the proposed notch on the east side of the building which alleviates the possible canyon created by two tall building on either side of the narrow Port Avenue.

The Board found the proposed curved west façade problematic due to its lack of architectural precedent in the area for such a gesture. Instead, the façade should be flat and strive for simplicity. The Board suggested that the *modern* portion of the building (above the datum line) should recede behind the *historic* building base (which references the historic context).

The Board requested that the proposed "cube" feature be as transparent as possible and eliminate the proposed cube design concept "B" with the angled facade. The cube design should be simple and avoid adding new angles and forms that are incongruent with the neighborhood context. Of paramount concern should be the connection between the pedestrian bridge, the subject building and the movement from the bridge to ground level – this circulation function should be clearly expressed in the cube design. The Board recognized the challenge of locating retail use at the second level. The Board encouraged the provision of seating and open space at the second level abutting the pedestrian bridge. The Board also agreed that the design of this connection should consider the light and shadow of the area below the bridge and endeavor to use translucent materials where possible.

The datum lines of the nearby historic buildings should be acknowledged. The Board cautioned against too much curtain wall and glass as being out of context. Punched windows should be considered in the design of the building base. (EDG Meeting August 24, 2010)

By the Recommendation meeting, the architect redesigned the upper west façade to eliminate the curve. The upper portions of the façade set back slightly from the terra cotta walls.

The walls of the "cube" or appendage to the north of the large building mass possess right angles in response to the Board's earlier request. The three visible elevations are composed of primarily transparent glazing with a black, steel frame that defines several edges.

On the larger building mass, the glazing set within the terra cotta walls is slightly setback from the façade. The Board did not comment on whether the window / wall relationship resembled a punched opening. (Recommendation Meeting December 14, 2010)

C-3 <u>Provide Active—Not Blank—Facades</u>. Buildings should not have large blank walls facing the street, especially near sidewalks.

At the Early Design Guidance Meeting, the Board noted that on Western Avenue the residential units at the parking levels could be shifted to the curtain wall area so that the parking levels could be behind the punched masonry grid block area. It seems like screening the parking behind the grid is more effective than screening behind the spandrel glass. See also E-2. (EDG Meeting August 24, 2010)

Responding to earlier Board direction, the architect placed the studio apartments behind the glazed curtain wall along the west façade and left the terra cotta elevations to screen the parking garage. (Recommendation Meeting December 14, 2010)

C-5 <u>Encourage Overhead Weather Protection</u>. Encourage project applicants to provide continuous, well-lit, overhead weather protection to improve pedestrian comfort and safety along major pedestrian routes.

The Board recommended that the Post Avenue elevation possess overhead weather protection along the entire length of the façade. Although the Board did not discuss the Columbia Street elevation, the overhead weather protection should likely wrap the corner of the building base. (Recommendation Meeting December 14, 2010)

C-6 Develop the Alley Façade. To increase pedestrian safety, comfort, and interest, develop portions of the alley façade in response to the unique conditions of the site or project.

See C-5. (Recommendation Meeting December 14, 2010)

D. Public Amenities: Enhancing the Streetscape & Open Space

D-1 Provide Inviting & Usable Open Space. Design public open spaces to promote a visually pleasing, safe, and active environment for workers, residents, and visitors. Views and solar access from the principal area of the open space should be especially emphasized.

Departures # 9, 10, and 11 address the façade setbacks from the property line. The Board's recommendation of approval of the departures allows for a greater distance between the façade and the Marion Street pedestrian bridge and room for two small plazas flanking the glass cube for the lobby. (EDG Meeting August 24, 2010)

The Board discussed at length the proposed departure for added height in the green street setback. The glass cube with its associated stair and elevator tower links the larger building mass to the elevated Marion St. walkway. The applicant argued that the stairs and elevator would provide access to a space on the roof of the glass cube for the public. The Board recommended a condition that requires public access to the rooftop during daylight hours. Allowance for the departure for the added height in the green street is dependent upon the condition allowing public access to the roof. (Recommendation Meeting December 14, 2010)

D-2 Enhance the Building with Landscaping. Enhance the building and site with substantial landscaping—which includes special pavements, trellises, screen walls, planters, and site furniture, as well as living plant material.

At the Early Design Guidance Meeting, the Board focused on the Post Avenue streetscape and the Marion Street open space/plaza area. Both are prime opportunities for the integration of interesting landscaping and hardscaping to create visual interest at the pedestrian level but also as viewed from the pedestrian bridge. See also C-1. (EDG Meeting August 24, 2010)

No further discussion of landscaping occurred at the Recommendation Meeting. (Recommendation Meeting December 14, 2010)

D-5 Provide Adequate Lighting. To promote a sense of security for people downtown during nighttime hours, provide appropriate levels of lighting on the building facade, on the underside of overhead weather protection, on and around street furniture, in merchandising display windows, and on signage.

At the Early Design Guidance Meeting, the Board members noted they would like to see more information on the proposed lighting plan, particularly as it relates to the pedestrian bridge level and on the sidewalk/plaza area below the bridge. (EDG Meeting August 24, 2010)

Based on its review of the lighting plan provided by the applicant, the Board did not expand upon its comments at the EDG meeting. (Recommendation Meeting December 14, 2010)

D-6 Design for Personal Safety & Security. Design the building and site to enhance the real and perceived feeling of personal safety and security in the immediate area.

At the Early Design Guidance Meeting, the Board emphasized the importance of creating a safe and visually accessible area below the pedestrian bridge. (EDG Meeting August 24, 2010)

No further discussion occurred about the area beneath the pedestrian bridge. The applicant presented a lighting plan and images of the north plaza/pedestrian bridge lit at night. (Recommendation Meeting December 14, 2010)

E. Vehicular Access & Parking: Minimizing the Adverse Impacts

E-1 Minimize Curb Cut Impacts. Minimize adverse impacts of curb cuts on the safety and comfort of pedestrians.

At the Early Design Guidance Meeting, the Board agreed that incorporating vehicular access from Columbia Street was appropriate. The Board would like to better understand how and where resident loading will occur and whether the proposed loading zone on Post Avenue is viable. (EDG Meeting August 24, 2010)

The applicant has delineated a loading zone on Post Ave. in front of the residential entrance. This will need to be approved by SDOT. No discussion occurred during the Recommendation Meeting. (Recommendation Meeting December 14, 2010)

E-2 Integrate Parking Facilities. Minimize the visual impact of parking by integrating parking facilities with surrounding development. Incorporate architectural treatments or suitable landscaping to provide for the safety and comfort of people using the facility as well as those walking by.

At the Early Design Guidance Meeting, the Board was supportive of the proposal to include studio units at the corners of the parking levels thereby enlivening the facades at the corner locations with transparency and visual access to the lighting in those units beyond what the parking screening includes. The Board looks forward to learning more about how the cars are screened. The spandrel glass may be insufficient in terms of creating an overly blank wall. (EDG Meeting August 24, 2010)

See C-3 for a discussion of the placement of the studio units in relationship to the parking garage and the design of the building facade. The Board recommended that the windows for the storage areas have clear glazing to emit light from the building in order to foster an active appearing façade during the evening. (Recommendation Meeting December 14, 2010)

Board Recommendations: The recommendations summarized below were based on the plans submitted at the December 14, 2010 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the December 14th public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the four Design Review Board members present unanimously recommended approval of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed below).

STANDARD	REQUIREMENT	REQUEST	JUSTIFICATION	RECOMMEND-ATION
1. Parking location & screening. SMC 23.49.019B2.a.2	Parking above the 3rd story of a structure shall be separated from the street by another use for a minimum of 30%	Decrease required active street frontage at levels 4 & 5. Reduce requirement to the following: • 0% along Post Ave. • 20% along Columbia. • 24% along Western • 24% along Marion	▪ Studio apartment will be located at Western/ Columbia and Western/Marion corners. Corner units will be on floors 2-5. Floors 2-3 would not be required by LU Code. (D-3)	Recommended approval.
2. Façade Modulation. SMC 23.49.058B.	Required modulation above a height of 85' above a sidewalk for any portion of structure located within 15' of a street property line.	Eliminate requirement to set back 15' along the Western Ave. façade.	▪ A larger setback of 24' x 68'above Post Ave recalls the setbacks along the existing Colman Bldg. across Post. No setback on Western relates to other older buildings along Western. (B-3)	Recommended approval
3. Setbacks on Green Streets SMC 23.49.058F.2	A continuous upper level setback of 15' shall be provided on a Green street frontage above 45'.	Increase the height from 45' to 60'. A 15' difference to allow elevator and stair tower connecting Marion St. elevated walkway and the roof of the glass entry cube.	▪ Extra height of stairs and elevator tower would provide public access to roof garden with view of Elliott Bay. (D-1)	Recommended approval based on public access to roof (see Condition).

STANDARD	REQUIREMENT	REQUEST	JUSTIFICATION	RECOMMEND-ATION
4. Sidewalk width. Downtown Zoning Map 1C	12' sidewalk width required on Post Ave.		▪ Developer widening sidewalk at the first level would hinder retail space along Post Ave. eliminating the pedestrian interaction the retail spaces would promote. (D-1)	Recommended approval
5. Overhead Weather Protection. SMC 23.49.018	Continuous canopies with an 8' depth. 156' on Post Ave. & 30' on Columbia.	Omit canopies on Post Ave. and Columbia. Total of 180 linear feet.	▪ 5' sidewalk would limit overhead weather protection to 3 horizontal feet.	Recommended denial.
6. Overhead Weather Protection. SMC 23.49.018	Continuous canopies with an 8' depth.	Reduce canopy depth to 7'2" for 137 linear feet along southern portion of Western Ave. A reduction of 10" for 137 feet.	▪ Intent is to avoid an existing street lamp. (D-6)	Recommended approval
7. Blank Façade. SMC 23.49.056D	Columbia St: Maximum blank façade length along Class II pedestrian street is 30'	To allow a 55'3" blank wall. 25'3" additional blank wall.	▪ Service functions located on Columbia St. due to lack of alley. ▪ Increases retail presence on Post Ave. and Western Ave. (D-3)	Recommended approval
8. Blank Façade. SMC 23.49.056D	Marion St: Maximum blank façade length along Class I pedestrian St. is 15'.	To allow an 18'9" blank wall. 3'9" of additional blank wall.	▪ Architectural feature accents the residential entry and disguises parking levels. (D-3, D-4) ▪ Façade is set back from the street.	Recommended approval
9. Façade Setback. SMC 23.49.056B2	500 s.f. maximum setback on Marion St.	Increase setback to 3,100 s.f.---an increase of 2,600 s.f.	▪ Extends open space beyond area beneath elevated walkway.(D-1) ▪ Extends width of Green St. concept into plaza. (D-1)	Recommended approval
10. Façade Setback. SMC 23.49.056B2	Maximum width of setback shall not exceed 80' or 30% of the lot frontage on the street.	Site is 100'. Departure request for 65% or 65' of setback beyond 15' along Marion St.	▪ Increases the amount of plaza along Marion St. (green street) (D-1)	Recommended approval.
11. Façade Setback. SMC 23.49.056B2	Maximum setback of façade at intersections is 10'. Minimum distance the façade must conform to this limit is 20' along each street.	Increase the setback at the corner of Marion/Western and Marion/Post to 45'8". An increase of 35'8"	▪ Increases the amount of plaza area. (D-1)	Recommended approval.

The Board recommended the following **CONDITIONS** for the project. (Authority referenced in the letter and number in parenthesis):

1. Place continuous overhead weather protection along the Post Ave. façade even though the depth of the canopy will not meet Land Use Code standards. (C-1, C-5)
2. Public access to the roof of the glass cube on the northern end of the site is required during daylight hours. (D-1)
3. Areas indicated for "back of house" operations and bicycle storage on the southwest corner of the structure on levels two through five shall have transparent windows on the two elevations. (E-2)

DIRECTOR'S ANALYSIS - DESIGN REVIEW

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. In addition, the Director is bound by any condition where there was consensus by the Board and agrees with the conditions recommended by the four Board members and the recommendation to approve the design, as stated above.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS-SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant's agent (dated September 15, 2010) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665D) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665D1-7) mitigation can be considered.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction related vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related noise, air quality, earth, grading, traffic and parking impacts as well as mitigation.

Noise

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to these residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M.:

A. Surveying and layout.

B. Stacking the building with remote operating crane or fork lift.

C. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).

D. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protection, water dams and heating equipment.

In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:00 A.M and 6:00 P.M.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule; thus the duration of associated noise impacts. DPD recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety. Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case by case basis by approval of the Land Use Planner prior to each occurrence.

As conditioned, noise impacts to nearby uses are considered adequately mitigated.

Air Quality

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC).

Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

Excavation to construct the lower portions of the structure will be necessary. The maximum depth of the excavation is approximately 12 feet and will consist of an estimated 5,400 cubic yards of materials. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. Included in this figure is a total of 3,470 cubic yards of back fill. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Traffic and Parking

Construction of the project is estimated to last 18 months. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require 540 round trips with 10-yard hauling trucks or 54 round trips with 20-yard hauling trucks. Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near a major arterial and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC 11.62.

Truck access to and from the site shall be documented in a construction traffic management plan, to be submitted to DPD and SDOT prior to the beginning of construction. This plan also shall indicate how pedestrian connections around the site will be maintained during the construction period, with particular consideration given to maintaining pedestrian access along Western Avenue. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; increased light and glare, and proximity to a city landmark and a site of potential archeological significance.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. The Design Review process has contemplated height, bulk and scale issues. However, due to the size and location of this proposal, historic preservation, a site of potential archeological significance and traffic and parking impacts warrant further analysis.

Traffic and Transportation

The proposed project would result in two actions that could influence traffic near the site: the removal of the existing surface parking lot on the site and the construction of the proposed mixed-use building. No adjustments in traffic levels were assumed to result from its removal because the existing lot provides public fee parking; those who would park in this lot would likely find other parking in or near the study area. Thus, Heffron Transportation, Inc, the applicant's transportation consulting firm, did not subtract the existing trips from the 143 PM peak hour vehicle trips to be generated by the proposal.

Trip generation for the proposed mixed-use building was estimated using rates and equations provided by the Institute of Transportation Engineers (ITE). The proposed project is expected to generate 1,010 vehicle trips per day, with 63 vehicle trips during the AM peak hour, and 80 vehicle trips during the PM peak hour. Traffic associated with the proposal would not significantly impact the six off-site study intersections. The highest increase in delay, about 2.4 seconds per vehicle, is projected at the Post Ave./Columbia St. intersection. This would degrade operations from Level of Service (LOS) B to LOS C. An increase in delay of about two seconds is projected at Western Ave/Columbia St. intersection, which would degrade operations from LOS C to LOS D. The projected delays at these intersections still reflect an acceptable level of service in the City. No off-site roadway improvements would be needed to accommodate the proposed project.

Accident data indicates no high accident locations or unusual safety issues in the site vicinity. Heffron reasons that it is unlikely that the proposed project would affect the safety at off-site locations.

Parking

The existing surface lot on the proposal site has 82 parking spaces available as public parking for a fee. On-street metered parking is allowed on the west side of Western Ave., the west and east sides of Post Ave. and the north side of Marion Street in the blocks abutting the project site. Metered parking is also prevalent on many streets north and south of the site.

The proposed project would provide 124 above-grade parking spaces. Parking would be used primarily by building residents. Based on the 208 residential units that are proposed, this would equate to an average 0.61 parking space per unit. A review of vehicle ownership data from the Census 2000 Journey-to-Work Characteristics (PSRCE) shows a range of 0.5 to 0.6 vehicle owned per unit the vicinity of the study area.

No on-street parking spaces exist on Columbia Street on the curb abutting the site. No on-street parking spaces would be lost due to the project's driveway, nor would sight lines from the driveway be affected. It may be possible to add four or more on-street parking spaces along the southeast curb of Marion St. along that site frontage, due to the removal of two existing driveways.

Historic Preservation

The proposed structure lies directly across Post Avenue from city historic landmark, the Colman Building (1900). Based on the Landmarks Preservation Board staff review, the Department of Neighborhoods (DON) does not require additional mitigation in the architectural design of the project.

Historic documentation suggests that a substantial portion of the clipper ship Windward (built 1853) may be buried below Western Ave. near Columbia Street. This lies close to the Colman Apartment project site so that excavation of the proposed structure may encounter the buried remains of the ship. The applicant's consultant, Northwest Archaeological Associates, Inc., states that, if present, the ship's remains are historically significant and "likely to be eligible for listing in the National Register of Historic Places". The consultant proposes an archeological plan that establishes monitoring procedures, treatment of recovered artifacts, and reporting to document the process and results of the work. The plan monitors drilling for the 50 to 80' pile shafts / pile caps; collection of ship fragments; the removal of fill and sediments from the excavation site; and the role of a qualified supervising professional archaeologist in monitoring excavation, attending preconstruction meetings, training of construction supervisors, and keeping a daily log of monitoring activities.

The analysis also describes the need for a treatment plan if artifacts are, in fact, found. The archaeological contractor will notify the State Department of Archaeology and Historic Preservation (DAHP) and prepare a treatment plan for the remains. In the event of the discovery of human remains and associated or unassociated funerary objects, sacred objects or items of cultural patrimony, the archaeological monitoring plan outlines work stoppage procedures and

means of notification to police, coroner's office, Indian tribes, and DAHP. Following the completion of archaeological monitoring and the implementation of a treatment plan, the archeological contractor will prepare one or more technical reports to document background information, methods, and the results of the work.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS-DESIGN REVIEW

Prior to Issuance of a Master Use Permit

Update plans according to the following conditions:

1. Place continuous overhead weather protection along the Post Ave. façade.

2. Areas indicated for "back of house" operations and bicycle storage on the southwest corner of the structure on levels two through five shall have transparent windows on the two elevations.

Prior to Building Application

3. Include the departure matrix in the zoning summary section on all subsequent building permit plans. Add call-out notes on appropriate plan and elevation drawings in the updated MUP plans and on all subsequent building permit plans.

Prior to Commencement of Construction

4. Arrange a pre-construction meeting with the building contractor, building inspector, and land use planner to discuss expectations and details of the Design Review component of the project.

Prior to Issuance of all Construction Permits

5. Embed the MUP conditions in the cover sheet for all subsequent permits including updated building permit drawings.

Prior to Issuance of a Certificate of Occupancy

6. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bruce P. Rips, 206-615-1392). An appointment with the assigned Land Use Planner must be made at least three (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

For the Life of the Project

7. Public access to the roof of the glass cube on the northern end of the site is required during daylight hours.

8. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Bruce Rips, 206-615-1392) or by the Design Review Manager. Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

CONDITIONS-SEPA

Prior to Issuance of a Demolition, Grading, or Building Permit

9. Submit a construction traffic management plan to be reviewed and approved by SDOT and DPD. The plan shall, at a minimum, identify truck access to and from the site, pedestrian accommodations, and sidewalk closures. Large trucks (greater than two-axle) shall be prohibited from entering or exiting the site between 3:30 P.M. to 7:00 P.M.

During Construction

10. All recommendations in the Cultural Resources Monitoring and Discovery Plan for Construction of the Colman Apartments report (dated August 11, 2010) by Northwest Archaeological Associates, Inc. shall be followed during the excavation and construction of the building.

11. The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

12. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 5:00 P.M.:

    A. Surveying and layout.

    B. Stacking the building with remote operating crane or fork lift.

    C. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).

    D. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

13. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:00 A.M and 6:00 P.M.

    Hours on weekdays may be extended from 6:00 P.M. to 8:00 P.M. on a case by case basis. All evening work must be approved by DPD prior to each occurrence. Only low noise impact work will be permitted Saturdays from 9:00 A.M. to 6:00 P.M.

    Once the foundation work is completed and the structure is enclosed, interior construction may be done in compliance with the Noise Ordinance and is not subject to the additional noise mitigating conditions. Additional work hours may be allowed upon prior approval of a noise mitigation plan.

Signature: (signature on file) Date: March 21, 2011
Bruce P. Rips, AICP, Project Planner
Department of Planning and Development

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